

RAS 18871

# STATE OF UTAH

OFFICE OF THE ATTORNEY GENERAL



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ATTORNEY GENERAL

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PALMER DePAULIS  
Chief of Staff

March 10, 1998

Attn: Docketing & Services Branch  
Office of the Secretary  
U.S. Nuclear Regulatory Commission  
Mail Stop: O16G15  
11555 Rockville Pike, One White Flint North  
Rockville, MD 20852-2738

Re: In the Matter of Private Fuel Storage, LLC, Docket 72-22

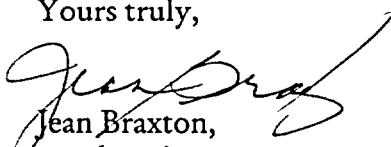
Dear Madam/Sir;

Enclosed are original Declarations which had not been available at the time "State of Utah's Reply to the NRC Staff's and Applicant's Response to State of Utah's Contentions A through DD" was filed on January 16, 1998. The Declarations accompanying that original pleading were faxed versions by Lawrence A. White, PE, Exhibit 1 to the pleading, and by Dr. Marvin Resnikoff, Exhibit 2.

Please replace the faxed versions of those Declarations with the enclosed original Declarations.

Enclosed also is a copy of the first page of this pleading for your convenience. Many thanks for your assistance.

Yours truly,

  
Jean Braxton,  
Legal Assistant

Enclosures: as stated

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SECY-02

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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In the Matter of:

PRIVATE FUEL STORAGE, LLC  
(Independent Spent Fuel  
Storage Installation)

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Docket No. 72-22-ISFSI

ASLBP No. 97-732-02-ISFSI

January 16, 1998

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STATE OF UTAH'S REPLY TO THE NRC STAFF'S  
AND APPLICANT'S RESPONSE TO STATE OF UTAH'S  
CONTENTIONS A THROUGH DD

In accordance with the Licensing Board's Memorandum and Order of January 6, 1998, the State of Utah hereby replies to the Responses filed by the Staff and the Applicant on December 24, 1997, and the supplemental response filed by the Applicant on January 6, 1998, with respect to State of Utah Contentions A through DD. With respect to contentions regarding general NEPA issues, the intermodal transfer site, financial assurance, and ISFSI design, this Reply is supported by the Declaration of Lawrence A. White, PE, Executive Vice-President and Senior Project Manager of Versar, Inc., attached hereto as Exhibit 1. With respect to Contentions regarding failure to comply with NRC dose limits; inadequate facilitation of decommissioning; inadequate thermal design; inadequate inspection and maintenance safety components, such as canisters and cladding; inadequate training; inadequate quality assurance program; lack of a procedure for verifying presence of helium in canisters; and failure

*Exhibit 1*

UNITED STATES OF AMERICA  
BEFORE THE U.S. NUCLEAR REGULATORY COMMISSION\_\_\_\_\_

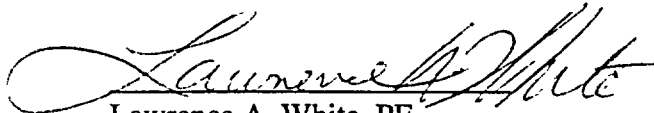
ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
	)	
PRIVATE FUEL STORAGE, L.L.C.)	)	Docket No. 72-22-ISFSI
(Independent Spent Fuel	)	
Storage Installation)	)	January <u>14</u> , 1998
	)	

DECLARATION OF LAWRENCE A. WHITE, PE

I, Lawrence A. White, PE declare under penalty of perjury that:

1. I am an Executive Vice President of Versar, Inc., an engineering and consulting firm headquartered in Springfield, Virginia. I have extensive experience in the areas of nuclear licensing, radioactive waste management, including the siting, design construction, operation, and decommissioning of nuclear facilities, the National Environmental Policy Act (NEPA), NRC regulations and licensing procedures, and the Nuclear Waste Policy Act of 1982. Copies of my resume and a description of Versar, Inc. are attached as Exhibit 1 to the contentions filed by the State of Utah in this proceeding on November 23, 1997.
2. I am familiar with Private Fuel Storage's ("PFS's") License Application, Safety Analysis Report and Environmental Report in this proceeding, as well as the storage and transportation casks PFS plans to use. I am also familiar with NRC regulations, NRC guidance documents, and with NEPA documentation requirements and environmental, scientific, and engineering studies relating to the transportation, storage and disposal of spent nuclear fuel. I also have reviewed the PFS's and NRC Staff's responses to the State of Utah's Contentions A through DD.
3. I assisted in the preparation of, and have reviewed, the State of Utah's Reply to PFS's and NRC Staff's Responses to Utah Contentions A through DD dealing with general NEPA issues, the intermodal transfer site, geotechnical, financial assurance, ISFSI design, and emergency planning requirements. The technical facts presented in those contentions are true and correct to the best of my knowledge, and the conclusions drawn from those facts are based on my best professional judgment.

  
Lawrence A. White, PE  
January 14, 1998  
Date

UNITED STATES OF AMERICA  
BEFORE THE U.S. NUCLEAR REGULATORY COMMISSION  
ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
 )  
PRIVATE FUEL STORAGE, L.L.C. )  
(Independent Spent Fuel ) Docket No. 72-22-ISFSI  
Storage Installation) )  
 ) January 16, 1998  
 )

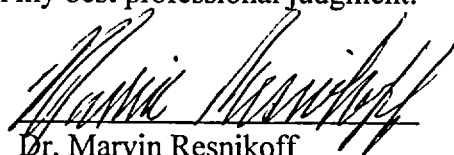
REPLY DECLARATION OF DR. MARVIN RESNIKOFF

I, Dr. Marvin Resnikoff, declare under penalty of perjury that:

1. I am the Senior Associate at Radioactive Waste Management Associates, a private consulting firm based in New York City. On November 20, 1997, I prepared a declaration which was submitted to the Licensing Board by the State of Utah in support of its contentions regarding Private Fuel Storage, L.L.C.'s proposed Independent Fuel Storage Installation. A statement of my qualifications is attached to that declaration.

2. I am familiar with Private fuel Storage's ("PFS's") license application and Safety Analysis Report in this proceeding, as well as the nonproprietary versions of applications for the storage and transportation casks PFS plans to use. I am also familiar with NRC regulations, guidance documents, and environmental studies relating to the transportation, storage, and disposal of spent nuclear power plant fuel, and with NRC decommissioning requirements.

3. I assisted in the preparation of, and have reviewed, the State of Utah's Reply to PFS's and NRC Staff's Responses to Utah Contentions A through DD, regarding failure to comply with NRC dose limits; inadequate facilitation of decommissioning; inadequate thermal design; inadequate inspection and maintenance safety components, such as canisters and cladding, inadequate training; inadequate quality assurance program; inadequate consideration of credible accidents, lack of a procedure for verifying presence of helium in canisters; and failure to consider impacts of onsite storage and transportation of spent nuclear fuel. The technical facts presented in the State's Reply regarding those contentions are true and correct to the best of my knowledge, and the conclusions drawn from those facts are based on my best professional judgment.

  
Dr. Marvin Resnikoff